

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2**

In the Matter of:

**MUNICIPALITY OF AGUAS BUENAS**  
P.O. Box 128  
Aguas Buenas, Puerto Rico 00703

**RESPONDENT**

Proceeding pursuant to Section  
309(g)(2)(B) of the Clean Water Act, 33  
USC § 1319(g)

PROCEEDING TO ASSESS A CLASS II  
CIVIL PENALTY

DOCKET NUMBER CWA-02-2010-3455

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG.II  
2010 DEC 17 A 11:29  
REGIONAL HEARING  
TELEPHONIC

**RESPONDENT'S MOTION REQUESTING TIME FOR INFORMAL SETTLEMENT**

**TO THE HONORABLE COURT:**

COMES NOW Respondent, Municipality of Aguas Buenas (hereinafter "Respondent"), through the undersigned counsel, and respectfully set forth and pray as follows:

1. The undersigned counsel has been retained recently by Respondent to assume its representation in this matter.
2. Respondent has filed an Answer to the Complaint and Request for Hearing in compliance with the term granted in the November 16, 2010 Order.
3. Notwithstanding, Respondent is interested in engaging on informal settlement conversations with Complainant, and to that effect, a prompt initial informal settlement conference has been scheduled for December 21, 2010 at 10:00 am.
4. Consistent with EPA's encouragement for the settlement of proceedings pursuant to Section 22.18(b) of the EPA Consolidated Rules of Procedure and

the fact that Respondent is a Municipal Government with limited resources, it is respectfully requested to the Presiding Officer that a 60-day period be allowed for settlement negotiations prior to the commencement of the formal adjudicatory hearing procedures.

5. Complainant's counsel has informed the undersigned counsel that he has no objection to the granting of this Motion.

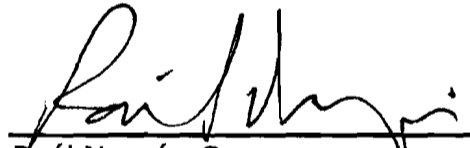
WHEREFORE, Respondent, Municipality of Aguas Buenas respectfully requests the referenced 60-day period to engage in settlement negotiations with representatives of Complainant.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 16<sup>th</sup> day of December, 2010.

**ATTORNEYS FOR RESPONDENT**

TORRES & GARCIA, P.S.C.  
PO Box 19539  
San Juan, Puerto Rico 00910-1539  
Tel. 787-721-8220  
Fax 787-721-8223  
Contract number: 2011-000156



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**CERTIFICATE OF SERVICE**

I CERTIFY that, on the date noted below, I caused to be submitted a copy of the foregoing Motion to the following persons, at the addresses listed below, and in the manner specified below:

**Original and copy for filing via Federal Express:**

Regional Hearing Clerk  
U.S. Environmental Protection Agency – Region 2  
290 Broadway – 16<sup>th</sup> Floor  
New York, NY 10007-1866

**Copy by regular mail:**

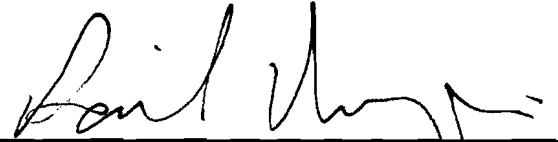
Héctor L. Vélez Cruz, Esq.  
Office of Regional Counsel  
U.S. Environmental Protection Agency – Region 2  
1492 Ponce de León Avenue., Suite 417  
San Juan, Puerto Rico 00907-4127  
Tel. (787) 977-5850

**Copy by regular mail:**

Roberto Ayala  
Acting Director, Water Quality Area  
P.R. Environmental Quality Board  
PO Box 11488  
San Juan, PR 00910-1488

In San Juan, Puerto Rico, this 16<sup>th</sup> day of December, 2010.

TORRES & GARCIA, P.S.C.  
Attorneys for Municipality of Aguas Buenas  
PO Box 19539  
San Juan, Puerto Rico 00910-1539  
Tel. 787-721-8220  
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